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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/659,154

09/10/2003

Chrestos T. Pyrras

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EXAMINER

ZARROLI, MICHAEL C

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,154

Applicant(s)

PYRROS, CHRESTOS T.

Examiner

Michael C. Zarroli

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-20 is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Figure</u> |

Claim Objections

1. Claim objections have been overcome.

Drawings

2. Drawing objections have been overcome.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country, in public use, or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5-6 and, 8 rejected under 35 U.S.C. 102(b) as being clearly anticipated by King.

King discloses a multiplex electrical outlet receptacle comprising: a single housing (fig. 9) containing a first electrical receptacle outlet, a second electrical receptacle outlet, a third electrical receptacle outlet, and a fourth electrical receptacle outlet (col. 5 line 46+ & fig. 10); a first tab extending from the top of the housing and a second tab extending from the bottom of the housing (fig. 9 near 16), the first and

second tabs configured for connecting the housing to a permanently secured in-wall electrical box (col. 3 lines 64+); a single electrical cable connection on the housing, the single electrical cable connection providing a power supply for each of the first, second, third and fourth electrical receptacle outlets (claim lines 30-33).

Regarding claims 2-3 and, 5 King discloses fifth and sixth outlets (fig. 9).

Regarding claims 6 and, 8 King discloses that each of the first, second, third and fourth electrical outlets have a common positive line bus (34) and a common neutral line bus within the housing (34, col. 4 lines 16-18).

4. Rejections for claims 12-20 have been overcome.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over King as applied to claims 1-3 above, and further in view of case law.

King does not disclose additional (more than six) receptacle outlets.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add more receptacle outlets (say 7th and 8th), since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

The motivation for this modification of King would be to increase the applicability of the King modular receptacle. There would be no overloading concerns in adding a 7th and 8th receptacle.

7. Claims 7 and 9-10 rejected under 35 U.S.C. 103(a) as being unpatentable over King as applied to claims 1 and 5-6 above, and further in view of Lee et al. King does not specifically disclose that the receptacle outlets have a common ground bus.

Lee discloses a common ground bus (fig. 1) for multiple receptacles.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to make the receptacles of King have a common ground bus as taught by Lee. The motivation/suggestion for doing so would have been to simplify construction. Additionally, a common grounding arrangement is very common in multi electrical receptacle devices. King also does not say that there is no common grounding arrangement for the receptacles.

8. Claim 11 rejected under 35 U.S.C. 103(a) as being unpatentable over King in view of Lee as applied to claim 10 above, and further in view of Admitted art Bagga.

King discloses the first receptacle positioned above the second (fig. 2). King does not disclose the arrangement of the receptacle openings recited in claim 11.

Bagga discloses that the third opening in the first receptacle outlet is positioned above the first opening and the second opening in the first receptacle outlet and the third opening in the second receptacle outlet is positioned below the first opening and the second opening in the second receptacle outlet (fig. 4).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to rearrange the receptacle outlets of King like that of Bagga. The motivation/suggestion for doing so would have been to allow more room for the ground prong of the plug housing, which is typically bulging at an apex. In addition, it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

Response to Arguments

9. Applicant's arguments filed 10/1/04 for claims 1-11 have been fully considered but they are not persuasive. See the attached page showing the King

reference figure 9. The device shown by King in figure 9 is a single housing; see

32. Two outlets are in each sub container and each of these sub containers is part of a single container. Each sub container **is not** separately removable from the

single container; see attached drawing. King also shows the tabs extending from the housing; in fact the first and second tabs are affixed to the back of the housing

32. Finally, King shows the single housing with “a single electric cable connection on the housing;” see 34. In King column 5 lines 46-50, the “base unit” of King

(14, fig. 1 for example) can be configured to accommodate a “multiple gang.”

10. Applicant’s amendment, filed 1/1/04, with respect to claims 12-20 have been fully considered and are persuasive. The 102 rejection of these claims has been withdrawn.

Allowable Subject Matter

11. Claims 12-20 are allowed over the prior art of record.

12. The following is a statement of reasons for the indication of allowable subject matter: The combination of claim 12 specifically the same housing has two faces one on one side of the wall and the other on the other side also, tabs extending from the housing top and bottom.

Conclusion

13. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T. C. Patel can be reached on (571) 272-2800 ext 39. The

fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael C. Zarroli
Primary Examiner
Art Unit 2839

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MCZ